IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Writ Petition No. 2417 of 2006

1.Gautam Educational Trust
and another ..Petitioners

vs.

1.State of Maharashtra & Ors. ..Respondents

Shri C.K.Thomas i/b M/s C.K.Thomas & Associates for petitioners.

CORAM: SWATANTER KUMAR C.J.
& S.C.DHARMADHIKARI J.
9h April, 2007

P.C.

. The challenge in this petition is to the order dated 12th August, 2006 passed by the Education Deputy Director, Mumbai. Vide this letter permission to run the junior college was cancelled. The challenge to the impugned order is on the ground that the same was violative to the principles of natural justice and also that the circular or letter of Government dated 18th July, 2006 as well as judgment of this Court was not applicable as the school of the petitioner was an English medium school while those orders apply only to Marathi medium schools.

2. Learned Counsel appearing for the respondents does not dispute this proposition to the extent that the petitioner would be entitled to the benefit of the second submission.

The learned Counsel further states that the parties will not give effect to the order dated 12th August, 2006 without complying with the principles of natural justice and/or in the event the Supreme Court judgment is in favour of the respondents authorities we direct that the order dated 12th August, 2006 shall not be given effect to till the fresh order is passed by the respondents in accordance with the principles of natural justice and/or the opportunity of hearing is given to the petitioner and/or judgment of the Supreme Court decides the question in favour of the respondents. We may also mention that another Bench of this Court in Writ Petition No.2687 of 2006 (Human Rights Foundation and others Vs. State of Maharashtra and others) decided on 5th December, 2006 had stayed the operation of the said orders.

3. Writ Petition is disposed of with the above observations leaving the parties to bear their own costs.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI J.)